

109TH CONGRESS  
2D SESSION

# S. 3042

To amend the Public Health Service Act to improve preparedness for and response to bioterrorism and other public health emergencies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mr. BAYH (for himself and Mr. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to improve preparedness for and response to bioterrorism and other public health emergencies, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “All-Hazards Public  
5       Health Emergency and Bioterrorism Preparedness and  
6       Response Act”.

1 **TITLE I—ALL-HAZARDS PUBLIC**  
 2 **HEALTH EMERGENCY AND**  
 3 **BIOTERRORISM PREPARED-**  
 4 **NESS AND RESPONSE**

5 **SEC. 101. NATIONAL NEEDS TO COMBAT THREATS TO PUB-**  
 6 **LIC HEALTH.**

7 Section 319A(d) of the Public Health Service Act (42  
 8 U.S.C. 247d–1(d)) is amended to read as follows:

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 10 are authorized to be appropriated to carry out this section  
 11 \$5,000,000 for fiscal year 2007 and such sums as may  
 12 be necessary for each subsequent fiscal year.”.

13 **SEC. 102. ASSESSMENT OF PUBLIC HEALTH NEEDS.**

14 Section 319B of the Public Health Service Act (42  
 15 U.S.C. 247d–2) is amended—

16 (1) in subsection (a), by inserting after the first  
 17 sentence the following: “Such evaluation shall also  
 18 include an assessment, using the assessment guide-  
 19 lines described under subsection (d), of each of the  
 20 specific critical public health threats likely to occur  
 21 in the State, or consortium of 2 or more States or  
 22 political subdivision of States performing the evalua-  
 23 tion, including threats resulting from natural disas-  
 24 ters, outbreaks of disease, or a terrorist attack in-  
 25 volving a biological, chemical, or nuclear agent, or

1 catastrophic accident, and the capacity of such  
 2 State, and localities within the State, or consortium  
 3 of 2 or more States or political subdivisions of  
 4 States, to respond to each such threat.”;

5 (2) by striking subsection (e);

6 (3) by redesignating subsection (d) as sub-  
 7 section (e);

8 (4) by inserting after subsection (c) the fol-  
 9 lowing:

10 “(d) ASSESSMENT GUIDELINES.—

11 “(1) IN GENERAL.—Not later than 180 days  
 12 after the date of enactment of the All-Hazards Pub-  
 13 lic Health Emergency and Bioterrorism Prepared-  
 14 ness and Response Act the Secretary shall establish  
 15 guidelines for each recipient of a grant under sub-  
 16 section (a) to use to conduct the assessment re-  
 17 quired under such subsection. The Secretary shall  
 18 ensure that such guidelines—

19 “(A) enable such recipient to—

20 “(i) assess the preparedness of such  
 21 recipient, and all local jurisdictions within  
 22 the boundaries of such recipient, as well as  
 23 businesses, individuals, healthcare pro-  
 24 viders, and community organizations to re-  
 25 spond to the threats described under sub-

1 section (a), consistent with the National  
2 Response Plan prepared under section  
3 502(6) of the Homeland Security Act of  
4 2002; and

5 “(ii) evaluate the progress and per-  
6 formance under a grant awarded under  
7 this section and section 319C–1 with re-  
8 spect to such preparedness;

9 “(B) are based on specific, reasonable pre-  
10 paredness goals that may be objectively meas-  
11 ured;

12 “(C) define the responsibilities of the pub-  
13 lic health entities involved in preparedness and  
14 specifically describe the activities that are the  
15 responsibility of the Federal Government, the  
16 State and local public health authorities,  
17 healthcare providers, and other organizations,  
18 respectively, consistent with the National Re-  
19 sponse Plan prepared under section 502(6) of  
20 the Homeland Security Act of 2002;

21 “(D) to the extent practicable and applica-  
22 ble, are harmonized with the standards of the  
23 Health Resources and Services Administration  
24 and the Joint Commission on Accreditation of  
25 Healthcare Organizations; and

1 “(E) clearly describe a priority system with  
2 respect to preparedness activities.

3 “(2) ANNUAL REVIEW AND UPDATE.—

4 “(A) REVIEW.—The Secretary shall review  
5 the guidelines described under paragraph (1) on  
6 an annual basis.

7 “(B) UPDATE.—Based on the review con-  
8 ducted under subparagraph (A), the Secretary  
9 may update the guidelines described under  
10 paragraph (1) as the Secretary determines nec-  
11 essary.

12 “(3) CONSULTATION.—In developing and revis-  
13 ing the guidelines under this subsection, the Sec-  
14 retary shall consult with State, local, and community  
15 public health organizations and expert individuals.”;  
16 and

17 (5) by inserting after subsection (e), as so re-  
18 designated, the following:

19 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 \$75,000,000 for fiscal year 2007 and such sums as may  
22 be necessary for each subsequent fiscal year.”.

1 **SEC. 103. GRANTS TO IMPROVE STATE, LOCAL, AND HOS-**  
 2 **PITAL ALL-HAZARDS PUBLIC HEALTH EMER-**  
 3 **GENCY AND BIOTERRORISM PREPAREDNESS**  
 4 **AND RESPONSE.**

5 (a) **ADDITIONAL REQUIREMENTS.**—Section 319C–  
 6 1(b) of the Public Health Service Act (42 U.S.C. 247d–  
 7 3a(b)) is amended by adding at the end the following:

8 “(3) **OTHER REQUIREMENTS.**—

9 “(A) **APPLICATION CONTENT.**—An applica-  
 10 tion under paragraph (1) shall include a letter  
 11 from the Governor or chief elected official of  
 12 the eligible entity involved that includes—

13 “(i) a description of the amount of  
 14 any funds of the eligible entity involved  
 15 (without regard to any Federal funds allo-  
 16 cated to the eligible entity) allocated to  
 17 carry out the activities described under the  
 18 award under this section;

19 “(ii) includes assurance by the Gov-  
 20 ernor or chief elected official of the eligible  
 21 entity involved that the eligible entity will  
 22 conduct periodic simulation exercises to  
 23 test State and local public health emer-  
 24 gency preparedness and, as appropriate,  
 25 will test existing emergency systems and  
 26 capacity in conjunction with response to

1 ongoing public health challenges, such as  
2 seasonal influenza; and

3 “(iii) demonstrates understanding by  
4 the eligible entity involved of the perform-  
5 ance standards that will be used to evalu-  
6 ate the use of the grant funds by such eli-  
7 gible entity under this section.

8 “(B) REPORT ON USE OF FUNDING.—Not  
9 later than 60 days after the last day of each  
10 grant year in which an eligible entity described  
11 in subsection (b)(1)(A) has received amounts  
12 under an award under this section, such eligible  
13 entity shall submit to the Secretary a report  
14 that includes—

15 “(i) a detailed description of the use  
16 of the funds made available under such  
17 award, including the amounts made avail-  
18 able directly for expenditure by local juris-  
19 dictions through a grant, contract, or other  
20 arrangement;

21 “(ii)(I) progress on the efforts to meet  
22 the performance standards described in the  
23 application under paragraph (1) and the  
24 assessment guidelines under section  
25 319B(d);

1 “(II) an explanation of any failures to  
 2 meet such performance standards or guide-  
 3 lines; and

4 “(III) the current capacity of the enti-  
 5 ty to meet such performance standards  
 6 and guidelines;

7 “(iii) the findings of any simulation  
 8 exercises conducted by the entity, or local  
 9 jurisdiction within the boundaries of such  
 10 entity, to test emergency preparedness,  
 11 and the remediation steps taken or  
 12 planned in response to such findings; and

13 “(iv) a detailed description of the  
 14 State budget expenditures of the entity on  
 15 public health emergency preparedness for  
 16 the fiscal year that is the subject of the re-  
 17 port.”.

18 (b) ACCOUNTABILITY FOR ELIGIBLE ENTITIES.—  
 19 Section 319C–1 of the Public Health Service Act (42  
 20 U.S.C. 247d–3a) is amended—

21 (1) by striking subsection (c) and inserting the  
 22 following:

23 “(c) ALL-HAZARDS PUBLIC HEALTH EMERGENCY  
 24 AND BIOTERRORISM PREPAREDNESS AND RESPONSE  
 25 PLAN.—



1           “(1) IN GENERAL.—Not later than 60 days  
2           after notification of receipt of an award under sub-  
3           section (a), an eligible entity described in subsection  
4           (b)(1)(A) shall prepare and submit to the Secretary  
5           an All-Hazards Public Health Emergency and Bio-  
6           terrorism Preparedness and Response Plan.

7           “(2) CONTENT OF PLAN.—Recognizing the as-  
8           sessment of public health needs and threats con-  
9           ducted under section 319B, an All-Hazards Public  
10          Health Emergency and Bioterrorism Preparedness  
11          and Response Plan submitted to the Secretary under  
12          paragraph (1) shall—

13               “(A) include an assessment of basic pre-  
14               paredness for the threats described in section  
15               319B(a), using the assessment guidelines estab-  
16               lished under section 319B(d);

17               “(B) describe the performance standards  
18               under subsection (i), which shall be used to  
19               measure the performance of the eligible entity  
20               described in subsection (b)(1)(A);

21               “(C) include a description of activities to  
22               be carried out by the eligible entity to address  
23               the needs and threats identified in such assess-  
24               ment (or an equivalent assessment);

1 “(D) include a description of any simula-  
2 tion exercises planned by the entity to test  
3 emergency preparedness;

4 “(E) include a description of the means by  
5 which the entity will provide support to, and co-  
6 ordinate with, local jurisdictions in planning  
7 and in conducting simulation exercises to test  
8 emergency preparedness, performance assess-  
9 ments, and other preparedness activities; and

10 “(F) include evidence that a majority of  
11 local jurisdictions with a majority of the popu-  
12 lation of the entity concur with the entity’s  
13 plan.

14 “(3) APPROVAL OF PLAN PRIOR TO RECEIPT OF  
15 FUNDS.—

16 “(A) IN GENERAL.—The Secretary shall  
17 dispense only 50 percent of the amount of an  
18 award under this section for an eligible entity  
19 described in subsection (b)(1)(A) unless the  
20 Secretary has approved the All-Hazards Public  
21 Health Emergency and Bioterrorism Prepared-  
22 ness and Response Plan submitted under para-  
23 graph (1) by such entity.

24 “(B) MODIFICATION.—The Secretary may  
25 require such entity to modify the All-Hazards

1           Public Health Emergency and Bioterrorism  
 2           Preparedness and Response Plan of such eligi-  
 3           ble entity prior to dispensing any amount of an  
 4           award not dispensed under subparagraph (A).

5           “(C) APPROVAL OF PLAN.—The Secretary  
 6           shall ensure that the total amount of an award  
 7           under this section is dispensed not later than  
 8           60 days after the date of approval by the Sec-  
 9           retary of such All-Hazards Public Health  
 10          Emergency and Bioterrorism Preparedness and  
 11          Response Plan.”;

12          (2) in subsection (e)(1)(A), by striking clause  
 13          (i) and inserting the following:

14                 “(i) Bioterrorism, acute outbreaks of  
 15                 infectious diseases, or other threats identi-  
 16                 fied in an assessment of public health  
 17                 needs pursuant to section 319B(a).”;

18          (3) by redesignating subsections (i) and (j) as  
 19          subsections (l) and (m), respectively; and

20          (4) by inserting after subsection (h) the fol-  
 21          lowing:

22          “(i) PERFORMANCE STANDARDS.—

23                 “(1) IN GENERAL.—

24                 “(A) ESTABLISHMENT.—Not later than  
 25                 180 days after the date of enactment of the All-

1 Hazards Public Health Emergency and Bioterrorism Preparedness and Response Act, the  
 2 Secretary shall establish measurable performance standards with respect to basic preparedness for the public health threats described  
 3 under section 319B(a).  
 4

5 “(B) ANNUAL REVIEW.—The Secretary  
 6 shall review such performance standards on an  
 7 annual basis, and revise such standards as necessary.  
 8

9 “(2) CONTENT.—The Secretary shall ensure  
 10 that such performance standards—  
 11

12 “(A) provide guidance to each eligible entity described in subsection (b)(1)(A) in evaluating the performance of such entity under a grant under this section;  
 13

14 “(B) include standards related to—  
 15

16 “(i) improving laboratory capacity;  
 17

18 “(ii) measuring the capacity of States and localities to distribute and administer medical resources from the Strategic National Stockpile during a public health emergency;  
 19

20 “(iii) measuring the adequacy of State and local plans to address the needs of  
 21  
 22  
 23  
 24  
 25

1 special needs populations (including low-in-  
2 come individuals and families, disabled in-  
3 dividuals, the homeless, individuals who do  
4 not speak English, and the elderly) during  
5 a public health emergency;

6 “(iv) measuring public health surge  
7 capacity including planning to assure the  
8 ability of the health care system to rapidly  
9 expand beyond normal services to meet the  
10 increased demand for qualified personnel,  
11 medical care, and public health services,  
12 which would include the ability to obtain  
13 additional resources as needed;

14 “(v) improving emergency risk com-  
15 munication plans, health information dis-  
16 semination, and public participation and  
17 understanding;

18 “(vi) improving public health work-  
19 force training and recruitment;

20 “(vii) integrating public health pre-  
21 paredness with State and local emergency  
22 management plans;

23 “(viii) assuring coherent command  
24 and control authority at the State and  
25 local levels for emergency response; and

1                   “(ix) any other issue as determined  
2                   appropriate by the Secretary;

3                   “(C) are based on specific, reasonable pre-  
4                   paredness goals that may be objectively meas-  
5                   ured;

6                   “(D) define the responsibilities of the pub-  
7                   lic health entities involved in preparedness and  
8                   specifically describe the activities that are the  
9                   responsibility of the Federal Government, the  
10                  State or local public health authority,  
11                  healthcare providers, and other organizations,  
12                  respectively, consistent with the National Re-  
13                  sponse Plan prepared under section 502(6) of  
14                  the Homeland Security Act of 2002;

15                  “(E) to the extent practicable and applica-  
16                  ble, are harmonized with the standards of the  
17                  Health Resources and Services Administration  
18                  and the Joint Commission on Accreditation of  
19                  Healthcare Organizations; and

20                  “(F) clearly describe a priority system with  
21                  respect to preparedness activities.

22                  “(3) CONSULTATION.—In developing and revis-  
23                  ing the performance standards under this sub-  
24                  section, the Secretary shall consult with State, local,

1 and community public health organizations and ex-  
2 pert individuals.

3 “(j) BIENNIAL EVALUATION; REPORT.—

4 “(1) IN GENERAL.—Not later than September  
5 30, 2008, and on a biennial basis thereafter, the  
6 Secretary—

7 “(A) shall conduct an evaluation of each  
8 eligible entity described in subsection (b)(1)(A)  
9 with respect to—

10 “(i) preparedness for the threats de-  
11 scribed under section 319B(a); and

12 “(ii) the progress and performance of  
13 such eligible entity under a grant awarded  
14 under this section;

15 “(B) shall include in such evaluation an  
16 assessment of the extent to which the eligible  
17 entity meets each performance standard estab-  
18 lished pursuant to subsection (i); and

19 “(C) may contract with an entity to con-  
20 duct such evaluation.

21 “(2) REPORT.—On a biennial basis, the Sec-  
22 retary shall publish by October 1, a report that de-  
23 scribes the outcome of each evaluation conducted  
24 under paragraph (1).

1           “(3) DISSEMINATION TO THE PUBLIC.—The  
 2       Secretary shall make available to the public the re-  
 3       port described under paragraph (2) to the extent  
 4       that such availability does not threaten national se-  
 5       curity, as determined by the Secretary.

6       “(k) WORKING GROUP.—

7           “(1) IN GENERAL.—The Secretary shall con-  
 8       vene a working group that shall develop successful  
 9       means for the eligible entity described in subsection  
 10      (b)(1)(A) to disseminate information regarding best  
 11      practices of preparing for the threats described  
 12      under section 319B(a) using the funding awarded  
 13      under a grant under this section.

14          “(2) CONSULTATION.—In convening the work-  
 15      ing group under paragraph (1), the Secretary may  
 16      consult with national and local public health organi-  
 17      zations, healthcare providers, and other stakeholders  
 18      that have expertise in preparedness for bioterrorism  
 19      and other public health emergencies.”.

20      (c) FUNDING.—Section 319C–1(m) of the Public  
 21      Health Service Act (42 U.S.C. 247d–3a(j)), as redesign-  
 22      nated by subsection (b), is amended—

23          (1) in paragraph (1), by striking subparagraph  
 24      (A) and (B) and inserting the following:

25          “(A) FISCAL YEAR 2007.—



1 “(i) AUTHORIZATIONS.—For the pur-  
2 pose of carrying out this section, there is  
3 authorized to be appropriated  
4 \$1,700,000,000 for fiscal year 2007, of  
5 which—

6 “(I) \$950,000,000 is authorized  
7 to be appropriated for awards pursu-  
8 ant to paragraph (3) (subject to the  
9 authority of the Secretary to make  
10 awards pursuant to paragraphs (4)  
11 and (5)); and

12 “(II) \$750,000,000 is authorized  
13 to be appropriated—

14 “(aa) for awards under sub-  
15 section (a) to States, notwith-  
16 standing the eligibility conditions  
17 under subsection (b), for the pur-  
18 pose of enhancing the prepared-  
19 ness of hospitals (including chil-  
20 dren’s hospitals), clinics, health  
21 centers, and primary care facili-  
22 ties for bioterrorism and other  
23 public health emergencies; and

24 “(bb) for Federal, State,  
25 and local planning and adminis-

1 trative activities related to such  
2 purpose.

3 “(ii) CONTINGENT ADDITIONAL AU-  
4 THORIZATION.—If a significant change in  
5 circumstances warrants an increase in the  
6 amount authorized to be appropriated  
7 under clause (i) for fiscal year 2007, there  
8 are authorized to be appropriated such  
9 sums as may be necessary for such year  
10 for carrying out this section, in addition to  
11 the amount authorized in clause (i).

12 “(B) FISCAL YEAR 2008.—For the purpose  
13 of carrying out this section, there are author-  
14 ized to be appropriated \$1,800,000,000 for fis-  
15 cal year 2008, of which—

16 “(i) \$950,000,000 is authorized for  
17 awards described under subparagraph  
18 (A)(i)(I); and

19 “(ii) \$850,000,000 is authorized to be  
20 appropriated for awards and activities de-  
21 scribed under subparagraph (A)(i)(II).

22 “(C) FISCAL YEAR 2009.—For the purpose  
23 of carrying out this section, there are author-  
24 ized to be appropriated \$1,800,000,000 of  
25 which—

1 “(i) \$950,000,000 is authorized for  
 2 awards described under subparagraph  
 3 (A)(i)(I); and

4 “(ii) \$850,000,000 is authorized for  
 5 awards described under subparagraph  
 6 (A)(i)(II).

7 “(D) OTHER FISCAL YEARS.—For the pur-  
 8 pose of carrying out this section, there are au-  
 9 thorized to be appropriated such sums as may  
 10 be necessary for fiscal year 2010 and each fis-  
 11 cal year thereafter.”;

12 (2) in paragraphs (3), (4), (5), and (6), by—

13 (A) striking “2003” each place it appears  
 14 and inserting “2007”; and

15 (B) striking “2002” each place it appears  
 16 and inserting “2006”; and

17 (3) by adding at the end the following:

18 “(7) OTHER FUNDING REQUIREMENTS.—

19 “(A) WITHHOLDING OF FUNDS.—

20 “(i) IN GENERAL.—Beginning in fis-  
 21 cal year 2008, and each fiscal year there-  
 22 after, the Secretary may withhold distribu-  
 23 tions of funding under an award under this  
 24 section if the Secretary determines—

1           “(I) that the eligible entity has  
2           not sufficiently met the guidelines  
3           under section 319B(d) and perform-  
4           ance standards described in the appli-  
5           cation under subsection (b)(3) in-  
6           volved for the previous fiscal year and  
7           has not demonstrated that efforts to  
8           meet such guidelines and performance  
9           standards are in place;

10           “(II) that such eligible entity has  
11           expended such funding for the pre-  
12           vious fiscal year on activities incon-  
13           sistent with the applicable All-Haz-  
14           ards Public Health Emergency and  
15           Bioterrorism Preparedness and Re-  
16           sponse Plan.

17           “(ii) EXCEPTION.—For purposes of  
18           applying clause (i), the Secretary may  
19           grant a waiver with respect to the des-  
20           ignated activities described in clause  
21           (i)(II).

22           “(B) MAXIMUM CARRYOVER AMOUNT.—

23           “(i) IN GENERAL.—For each fiscal  
24           year, the Secretary shall determine the  
25           maximum percentage amount of an award

1 under this section that an eligible entity  
2 may carryover to the succeeding fiscal  
3 year.

4 “(ii) AMOUNT EXCEEDED.—For each  
5 fiscal year, if the percentage amount of an  
6 award under this section unexpended by an  
7 eligible entity exceeds the maximum per-  
8 centage permitted by the Secretary under  
9 clause (i), the eligible entity shall return to  
10 the Secretary the portion of the unex-  
11 pended amount that exceeds the maximum  
12 amount permitted to be carried over by the  
13 Secretary.

14 “(iii) ACTION BY SECRETARY.—The  
15 Secretary shall redistribute any amount re-  
16 turned to the Secretary under clause (ii) to  
17 other eligible entities that demonstrate  
18 need and capacity to expend such funds  
19 appropriately within the next fiscal year,  
20 as determined by the Secretary.

21 “(iv) WAIVER.—An eligible entity may  
22 apply to the Secretary for a waiver of the  
23 maximum percentage amount under clause  
24 (i). Such an application for a waiver shall  
25 include an explanation why such require-

1           ment should not apply to the eligible entity  
 2           and the steps taken by such eligible entity  
 3           to ensure that all funds under an award  
 4           under this section will be expended appro-  
 5           priately.”.

6           (d) CONFORMING AMENDMENTS.—Section 319C-1  
 7 of the Public Health Service Act (42 U.S.C. 247d-3a) is  
 8 amended—

9           (1) in subsection (b)(1)(A)(iii)—

10           (A) in subclause (III), by striking the  
 11 semicolon and inserting “; and”;

12           (B) in subclause (IV), by striking “; and”  
 13 and inserting “; or”; and

14           (C) by striking subclause (V); and

15           (2) by striking “Bioterrorism and Other Public  
 16 Health Emergency Preparedness and Response  
 17 Plan” each place it appears and inserting “All-Haz-  
 18 ards Public Health Emergency and Bioterrorism  
 19 Preparedness and Response Plan”.

20 **SEC. 104. STUDY OF THE PUBLIC HEALTH EMERGENCY**  
 21 **WORKFORCE.**

22           (a) IN GENERAL.—

23           (1) STUDY.—The Secretary of Health and  
 24 Human Services shall conduct a study that analyzes  
 25 the size and scope of the healthcare and public

1 health workforces necessary to respond to a range of  
 2 common public health issues and public health emer-  
 3 gencies.

4 (2) REPORT TO CONGRESS.—Not later than  
 5 270 days after the date of enactment of this Act, the  
 6 Secretary of Health and Human Services shall sub-  
 7 mit to Congress a report that describes the outcomes  
 8 of the study conducted pursuant to paragraph (1),  
 9 including any recommendations for legislation.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
 11 are authorized to be appropriated \$1,000,000 to carry out  
 12 this section.

13 **SEC. 105. ASSISTANT SECRETARY FOR PUBLIC HEALTH.**

14 (a) IN GENERAL.—

15 (1) PUBLIC HEALTH SERVICE.—Title II of the  
 16 Public Health Service Act (42 U.S.C. 202 et seq.)  
 17 is amended by striking section 201 and inserting the  
 18 following:

19 “ASSISTANT SECRETARY FOR PUBLIC HEALTH; PUBLIC  
 20 HEALTH SERVICE

21 “SEC. 201. There is established within the Depart-  
 22 ment of Health and Human Services the Office of the As-  
 23 sistant Secretary for Public Health. The Public Health  
 24 Service in such Department shall be administered by the  
 25 Assistant Secretary for Public Health under the super-  
 26 vision and direction of the Secretary.”.

1           (2)   BIOTERRORISM   AND   OTHER   PUBLIC  
2   HEALTH   EMERGENCY   PREPAREDNESS.—Section  
3   2811(a) of the Public Health Service Act (42 U.S.C.  
4   300hh–11(a)) is amended—

5                   (A) by amending the subsection heading to  
6           read as follows: “ASSISTANT SECRETARY FOR  
7           PUBLIC HEALTH”;

8                   (B) by amending paragraph (1) to read as  
9           follows:

10           “(1) IN GENERAL.—The provisions of this title  
11   and all other public health preparedness functions of  
12   the Department of Health and Human Services shall  
13   be administered by the Assistant Secretary for Pub-  
14   lic Health under the supervision and direction of the  
15   Secretary.”; and

16                   (C) in paragraph (2), by striking “Assist-  
17           ant Secretary for Public Health Emergency  
18           Preparedness” and inserting “Assistant Sec-  
19           retary for Public Health”.

20           (b)   CONFORMING   AMENDMENTS.—The   Public  
21   Health Service Act (42 U.S.C. 201 et seq.) is amended  
22   by—

23                   (1) striking “Assistant Secretary for Health”  
24           each place it appears and inserting “Assistant Sec-  
25           retary for Public Health”; and



1           (2) striking “Assistant Secretary for Public  
2       Health Emergency Preparedness” each place it ap-  
3       pears and inserting “Assistant Secretary for Public  
4       Health”.

5       (c) TRANSFER OF FUNCTIONS; REFERENCES.—

6           (1) TRANSFER OF FUNCTIONS.—There shall be  
7       transferred to the Office of the Assistant Secretary  
8       for Public Health established under section 201 of  
9       the Public Health Service Act (as amended by sub-  
10      section (a)) the functions, personnel, assets, and ob-  
11      ligations of the Assistant Secretary for Health and  
12      the Assistant Secretary for Public Health Emer-  
13      gency Preparedness under the Public Health Service  
14      Act (42 U.S.C. 202 et seq.) as in effect on the day  
15      before the date of enactment of this Act.

16          (2) REFERENCES.—Any reference in any Fed-  
17      eral law, Executive order, rule, regulation, or delega-  
18      tion of authority, or any document of or pertaining  
19      to the Assistant Secretary for Health or the Assist-  
20      ant Secretary for Public Health Emergency Pre-  
21      paredness under the Public Health Service Act (42  
22      U.S.C. 202 et seq.) as in effect the day before the  
23      date of enactment of this Act, shall be deemed to be  
24      a reference to the Assistant Secretary for Public

1 Health under section 201 of the Public Health Serv-  
2 ice Act (as amended by subsection (a)).

3 **SEC. 106. REQUIREMENT OF PUBLIC HEALTH EMERGENCY**  
4 **CONTINGENCY PLANS.**

5 Subtitle B of title XXVIII of the Public Health Serv-  
6 ice Act (42 U.S.C. 300hh–11 et seq.) is amended by add-  
7 ing at the end the following:

8 **“SEC. 2812. BIOTERRORISM AND OTHER PUBLIC HEALTH**  
9 **EMERGENCY CONTINGENCY PLANS.**

10 “Notwithstanding any other provision of this Act, be-  
11 ginning with fiscal year 2008, any entity that receives a  
12 grant under this Act to provide health-related services, or  
13 any other entity as the Secretary determines appropriate,  
14 shall, as a condition of receiving such a grant, provide as-  
15 surance to the Secretary that such entity has a plan for  
16 operational continuity in the event of bioterrorism or other  
17 public health emergency.”.

18 **SEC. 107. BIOTERRORISM AND PUBLIC HEALTH RESPONSE**  
19 **EMERGENCY FUND.**

20 Subtitle B of title XXVIII of the Public Health Serv-  
21 ice Act (42 U.S.C. 300hh–11 et seq.), as amended by sec-  
22 tion 7, is further amended by adding at the end the fol-  
23 lowing:

1 **“SEC. 2813. BIOTERRORISM AND PUBLIC HEALTH RE-**  
 2 **SPONSE EMERGENCY FUND.**

3 “(a) IN GENERAL.—There is established a fund to  
 4 provide short-term assistance to hospitals, federally quali-  
 5 fied health centers, rural health clinics, public health lab-  
 6 oratories, and other healthcare providers and other mem-  
 7 bers of the public health workforce, as determined appro-  
 8 priate by the Secretary, in the event of bioterrorism or  
 9 other public health emergency.

10 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
 11 are authorized to be appropriated such sums as may be  
 12 necessary to carry out this section for fiscal year 2007  
 13 and each subsequent fiscal year.”.

14 **SEC. 108. AUTHORITY TO WAIVE STATE SHARE REQUIRE-**  
 15 **MENTS AND TO ALLOW PRESUMPTIVE ELIGI-**  
 16 **BILITY FOR ANY CATEGORY OF ELIGIBLE IN-**  
 17 **DIVIDUALS UNDER MEDICAID AND SCHIP**  
 18 **DURING STATE EMERGENCIES.**

19 Section 1135(b) of the Social Security Act (42 U.S.C.  
 20 1320b–5(b)) is amended—

21 (1) in paragraph (6), by striking “and” at the  
 22 end;

23 (2) in paragraph (7)(C)(ii), by striking the pe-  
 24 riod at the end and inserting a semicolon; and

25 (3) by inserting after paragraph (7)(C)(ii), the  
 26 following new paragraphs:

1 “(8) the Federal matching rate being below 100  
 2 percent under title XIX or XXI for healthcare items  
 3 and services furnished by a healthcare provider and  
 4 administrative costs related to the furnishing of such  
 5 items and services; and

6 “(9) providing for a period of presumptive eligi-  
 7 bility under title XIX or XXI for any category of in-  
 8 dividuals eligible for medical assistance or child  
 9 health assistance under such title (including under  
 10 waiver authority).”.

## 11 **TITLE II—PUBLIC HEALTH PRE-** 12 **PAREDNESS WORKFORCE DE-** 13 **VELOPMENT**

### 14 **SEC. 201. PUBLIC HEALTH WORKFORCE SCHOLARSHIP AND** 15 **LOAN REPAYMENT PROGRAM.**

16 Part E of title VII of the Public Health Service Act  
 17 (42 U.S.C. 294n et seq.) is amended by adding at the end  
 18 the following:

#### 19 **“Subpart 3—Public Health Workforce Scholarship** 20 **and Loan Repayment Program**

### 21 **“SEC. 780. PUBLIC HEALTH WORKFORCE SCHOLARSHIP** 22 **PROGRAM.**

23 “(a) ESTABLISHMENT.—The Secretary shall estab-  
 24 lish the Public Health Workforce Scholarship Program  
 25 (referred to in this section as the ‘Program’) to assure

1 an adequate supply of public health professionals to elimi-  
2 nate critical public health preparedness workforce short-  
3 ages in Federal, State, local, and tribal public health agen-  
4 cies.

5 “(b) ELIGIBILITY.—To be eligible to participate in  
6 the Program, an individual shall—

7 “(1) be accepted for enrollment, or be enrolled,  
8 as a full-time student—

9 “(A) in an accredited (as determined by  
10 the Secretary) educational institution in a State  
11 or territory; and

12 “(B) in a course of study or program, of-  
13 fered by such institution and approved by the  
14 Secretary, leading to a health professions de-  
15 gree (graduate, undergraduate, or associate) or  
16 certificate, which may include laboratory  
17 sciences, epidemiology, environmental health,  
18 health communications, health education and  
19 behavioral sciences, information sciences, or  
20 public administration;

21 “(2) be a United States citizen;

22 “(3) submit an application to the Secretary to  
23 participate in the Program; and

24 “(4) sign and submit to the Secretary, at the  
25 time of the submittal of such application, a written

contract (described in subsection (d)) to serve, upon the completion of the course of study or program involved, for the applicable period of obligated service in the full-time employment of a Federal, State, local, or tribal public health agency.

“(c) DISSEMINATION OF INFORMATION.—

“(1) APPLICATION AND CONTRACT FORMS.—

The Secretary shall disseminate application forms and contract forms to individuals desiring to participate in the Program. The Secretary shall include with such forms—

“(A) a fair summary of the rights and liabilities of an individual whose application is approved (and whose contract is accepted) by the Secretary, including in the summary a clear explanation of the damages to which the United States is entitled to recover in the case of the individual’s breach of the contract; and

“(B) information relating to the service obligation and such other information as may be necessary for the individual to understand the individual’s prospective participation in the Program.

“(2) INFORMATION FOR SCHOOLS.—The Secretary shall distribute to health professions schools

1 and other appropriate accredited academic institu-  
2 tions and relevant Federal, State, local, and tribal  
3 public health agencies, materials providing informa-  
4 tion on the Program and shall encourage such  
5 schools, institutions, and agencies to disseminate  
6 such materials to potentially eligible students.

7 “(3) UNDERSTANDABILITY AND TIMING.—The  
8 application form, contract form, and all other infor-  
9 mation furnished by the Secretary under this section  
10 shall—

11 “(A) be written in a manner calculated to  
12 be understood by the average individual apply-  
13 ing to participate in the Program; and

14 “(B) be made available by the Secretary on  
15 a date sufficiently early to ensure that such in-  
16 dividuals have adequate time to carefully review  
17 and evaluate such forms and information.

18 “(d) CONTRACT.—The written contract (referred to  
19 in this section) between the Secretary and an individual  
20 shall contain—

21 “(1) an agreement on the part of the Secretary  
22 that the Secretary will provide the individual with a  
23 scholarship for a period of years (not to exceed 4  
24 academic years) during which the individual shall  
25 pursue an approved course of study or program to

1 prepare the individual to serve in the public health  
2 workforce;

3 “(2) an agreement on the part of the individual  
4 that the individual will—

5 “(A) maintain full-time enrollment in the  
6 approved course of study or program described  
7 in subsection (b)(1) until the individual com-  
8 pletes that course of study or program;

9 “(B) while enrolled in the course of study  
10 or program, maintain an acceptable level of aca-  
11 demic standing (as determined under regula-  
12 tions of the Secretary by the educational insti-  
13 tution offering such course of study or pro-  
14 gram); and

15 “(C) immediately upon graduation, serve  
16 in the full-time employment of a Federal, State,  
17 local, or tribal public health agency in a posi-  
18 tion related to the course of study or program  
19 for which the contract was awarded for a period  
20 of time (referred to in this section as the ‘pe-  
21 riod of obligated service’) equal to the greater  
22 of—

23 “(i) 1 year for each academic year for  
24 which the individual was provided a schol-  
25 arship under the Program; or



1 “(ii) 2 years;

2 “(3) an agreement by both parties as to the na-  
3 ture and extent of the scholarship assistance, which  
4 may include—

5 “(A) payment of the tuition expenses of  
6 the individual;

7 “(B) payment of all other reasonable edu-  
8 cational expenses of the individual including  
9 fees, books, equipment and laboratory expenses;  
10 and

11 “(C) payment of a stipend of not more  
12 than \$1,200 per month for each month of the  
13 academic year involved (indexed to account for  
14 increases in the Consumer Price Index); and

15 “(4) a provision that any financial obligation of  
16 the United States arising out of a contract entered  
17 into under this section and any obligation of the in-  
18 dividual which is conditioned thereon, is contingent  
19 upon funds being appropriated for scholarships  
20 under this section;

21 “(5) a statement of the damages to which the  
22 United States is entitled for the individual’s breach  
23 of the contract; and

1           “(6) such other statements of the rights and li-  
 2           abilities of the Secretary and of the individual, not  
 3           inconsistent with the provisions of this section.

4           “(e) POSTPONING OBLIGATED SERVICE.—With re-  
 5           spect to an individual receiving a degree or certificate from  
 6           a school of medicine, public health, nursing, osteopathic  
 7           medicine, dentistry, veterinary medicine, optometry, po-  
 8           diatry, pharmacy, psychology, or social work under a  
 9           scholarship under the Program, the date of the initiation  
 10          of the period of obligated service may be postponed, upon  
 11          the submission by the individual of a petition for such  
 12          postponement and approval by the Secretary, to the date  
 13          on which the individual completes an approved internship,  
 14          residency, or other relevant public health preparedness ad-  
 15          vanced training program.

16          “(f) ADMINISTRATIVE PROVISIONS.—

17                 “(1) CONTRACTS WITH INSTITUTIONS.—The  
 18                 Secretary may contract with an educational institu-  
 19                 tion in which a participant in the Program is en-  
 20                 rolled, for the payment to the educational institution  
 21                 of the amounts of tuition and other reasonable edu-  
 22                 cational expenses described in subsection (d)(3).

23                 “(2) EMPLOYMENT CEILINGS.—Notwith-  
 24                 standing any other provision of law, individuals who  
 25                 have entered into written contracts with the Sec-

1       retary under this section, while undergoing academic  
 2       training, shall not be counted against any employ-  
 3       ment ceiling affecting the Department or any other  
 4       Federal agency.

5       “(g) BREACH OF CONTRACT.—An individual who  
 6       fails to comply with the contract entered into under sub-  
 7       section (d) shall be subject to the same financial penalties  
 8       as provided for under section 338E for breaches of schol-  
 9       arship contracts under sections 338A.

10   **“SEC. 781. PUBLIC HEALTH WORKFORCE LOAN REPAYMENT**  
 11       **PROGRAM.**

12       “(a) ESTABLISHMENT.—The Secretary shall estab-  
 13       lish the Public Health Workforce Loan Repayment Pro-  
 14       gram (referred to in this section as the ‘Program’) to as-  
 15       sure an adequate supply of public health professionals to  
 16       eliminate critical public health preparedness workforce  
 17       shortages in Federal, State, local, and tribal public health  
 18       agencies.

19       “(b) ELIGIBILITY.—To be eligible to participate in  
 20       the Program, an individual shall—

21               “(1)(A) be accepted for enrollment, or be en-  
 22       rolled, as a full-time or part-time student in an ac-  
 23       credited academic educational institution in a State  
 24       or territory in the final year of a course of study or  
 25       program offered by that institution leading to a

1 health professions degree or certificate, which may  
2 include a degree (graduate, undergraduate, or asso-  
3 ciate) or certificate relating to laboratory sciences,  
4 epidemiology, environmental health, health commu-  
5 nications, health education and behavioral sciences,  
6 information sciences, or public administration; or

7 “(B) have graduated, within 10 years, from an  
8 accredited educational institution in a State or terri-  
9 tory and received a health professions degree (grad-  
10 uate, undergraduate, or associate) or certificate,  
11 which may include a degree (graduate, under-  
12 graduate, or associate) or certificate relating to lab-  
13 oratory sciences, epidemiology, environmental health,  
14 health communications, health education and behav-  
15 ioral sciences, information sciences, or public admin-  
16 istration;

17 “(2)(A) in the case of an individual described in  
18 paragraph (1)(A), have accepted employment with a  
19 Federal, State, local, or tribal public health agency,  
20 as recognized by the Secretary, to commence upon  
21 graduation; or

22 “(B) in the case of an individual described in  
23 paragraph (1)(B), be employed by, or have accepted  
24 employment with, a Federal, State, local, or tribal  
25 public health agency, as recognized by the Secretary;

1           “(3) be a United States citizen;

2           “(4) submit an application to the Secretary to  
3 participate in the Program; and

4           “(5) sign and submit to the Secretary, at the  
5 time of the submittal of such application, a written  
6 contract (described in subsection (d)) to serve for  
7 the applicable period of obligated service in the full-  
8 time employment of a Federal, State, local, or tribal  
9 public health agency.

10          “(c) DISSEMINATION OF INFORMATION.—

11           “(1) APPLICATION AND CONTRACT FORMS.—

12          The Secretary shall disseminate application forms  
13 and contract forms to individuals desiring to partici-  
14 pate in the Program. The Secretary shall include  
15 with such forms—

16           “(A) a fair summary of the rights and li-  
17 abilities of an individual whose application is  
18 approved (and whose contract is accepted) by  
19 the Secretary, including in the summary a clear  
20 explanation of the damages to which the United  
21 States is entitled to recover in the case of the  
22 individual’s breach of the contract; and

23           “(B) information relating to the service ob-  
24 ligation and such other information as may be  
25 necessary for the individual to understand the

1 individual's prospective participation in the Pro-  
2 gram.

3 “(2) INFORMATION FOR SCHOOLS.—The Sec-  
4 retary shall distribute to health professions schools  
5 and other appropriate accredited academic institu-  
6 tions and relevant Federal, State, local, and tribal  
7 public health agencies, materials providing informa-  
8 tion on the Program and shall encourage such  
9 schools, institutions, and agencies to disseminate  
10 such materials to potentially eligible students.

11 “(3) UNDERSTANDABILITY AND TIMING.—The  
12 application form, contract form, and all other infor-  
13 mation furnished by the Secretary under this section  
14 shall—

15 “(A) be written in a manner calculated to  
16 be understood by the average individual apply-  
17 ing to participate in the Program; and

18 “(B) be made available by the Secretary on  
19 a date sufficiently early to ensure that such in-  
20 dividuals have adequate time to carefully review  
21 and evaluate such forms and information.

22 “(d) CONTRACT.—The written contract (referred to  
23 in this section) between the Secretary and an individual  
24 shall contain—

1 “(1) an agreement on the part of the Secretary  
 2 that the Secretary will repay on behalf of the indi-  
 3 vidual loans incurred by the individual in the pursuit  
 4 of the relevant public health preparedness workforce  
 5 educational degree or certificate in accordance with  
 6 the terms of the contract;

7 “(2) an agreement on the part of the individual  
 8 that the individual will serve, immediately upon  
 9 graduation in the case of an individual described in  
 10 subsection (b)(1)(A) service, or in the case of an in-  
 11 dividual described in subsection (b)(1)(B) continue  
 12 to serve, in the full-time employment of a Federal,  
 13 State, local, or tribal public health agency in a posi-  
 14 tion related to the course of study or program for  
 15 which the contract was awarded for a period of time  
 16 (referred to in this section as the ‘period of obligated  
 17 service’) equal to the greater of—

18 “(A) 3 years; or

19 “(B) such longer period of time as deter-  
 20 mined appropriate by the Secretary and the in-  
 21 dividual;

22 “(3) an agreement, as appropriate, on the part  
 23 of the individual to relocate for the entire period of  
 24 obligated service to a political jurisdiction designated  
 25 by the Secretary to be a priority service area in ex-

1 change for an additional loan repayment incentive  
2 amount that does not exceed 20 percent of the indi-  
3 vidual's eligible loan repayment award per academic  
4 year such that the total of the loan repayment and  
5 the incentive amount shall not exceed  $\frac{1}{3}$  of the eligi-  
6 ble loan balance per year;

7 “(4) in the case of an individual described in  
8 subsection (b)(1)(A) who is in the final year of study  
9 and who has accepted employment with a Federal,  
10 State, local, or tribal public health agency upon  
11 graduation, an agreement on the part of the indi-  
12 vidual to complete the education or training, main-  
13 tain an acceptable level of academic standing (as de-  
14 termined by the education institution offering the  
15 course of study or training), and agree to the period  
16 of obligated service;

17 “(5) a provision that any financial obligation of  
18 the United States arising out of a contract entered  
19 into under this section and any obligation of the in-  
20 dividual that is conditioned thereon, is contingent on  
21 funds being appropriated for loan repayments under  
22 this section;

23 “(6) a statement of the damages to which the  
24 United States is entitled, under this section for the  
25 individual's breach of the contract; and



1           “(7) such other statements of the rights and li-  
 2           abilities of the Secretary and of the individual, not  
 3           inconsistent with this section.

4           “(e) PAYMENTS.—

5           “(1) IN GENERAL.—A loan repayment provided  
 6           for an individual under a written contract under the  
 7           Program shall consist of payment, in accordance  
 8           with paragraph (2), on behalf of the individual of  
 9           the principal, interest, and related expenses on gov-  
 10          ernment and commercial loans received by the indi-  
 11          vidual regarding the undergraduate or graduate edu-  
 12          cation of the individual (or both), which loans were  
 13          made for—

14                   “(A) tuition expenses; or

15                   “(B) all other reasonable educational ex-  
 16                   penses, including fees, books, and laboratory ex-  
 17                   penses, incurred by the individual.

18           “(2) PAYMENTS FOR YEARS SERVED.—

19           “(A) IN GENERAL.—For each year of obli-  
 20           gated service that an individual contracts to  
 21           serve under subsection (d) the Secretary may  
 22           pay up to \$35,000 on behalf of the individual  
 23           for loans described in paragraph (1). With re-  
 24           spect to participants under the Program whose  
 25           total eligible loans are less than \$105,000, the

1 Secretary shall pay an amount that does not ex-  
2 ceed  $\frac{1}{3}$  of the eligible loan balance for each  
3 year of obligated service of the individual.

4 “(B) REPAYMENT SCHEDULE.—Any ar-  
5 rangement made by the Secretary for the mak-  
6 ing of loan repayments in accordance with this  
7 subsection shall provide that any repayments  
8 for a year of obligated service shall be made no  
9 later than the end of the fiscal year in which  
10 the individual completes such year of service.

11 “(3) TAX LIABILITY.—For the purpose of pro-  
12 viding reimbursements for tax liability resulting  
13 from payments under paragraph (2) on behalf of an  
14 individual—

15 “(A) the Secretary shall, in addition to  
16 such payments, make payments to the indi-  
17 vidual in an amount not to exceed 39 percent  
18 of the total amount of loan repayments made  
19 for the taxable year involved; and

20 “(B) may make such additional payments  
21 as the Secretary determines to be appropriate  
22 with respect to such purpose.

23 “(4) PAYMENT SCHEDULE.—The Secretary  
24 may enter into an agreement with the holder of any  
25 loan for which payments are made under the Pro-

1       gram to establish a schedule for the making of such  
2       payments.

3       “(f) POSTPONING OBLIGATED SERVICE.—With re-  
4       spect to an individual receiving a degree or certificate from  
5       a school of medicine, public health, nursing, osteopathic  
6       medicine, dentistry, veterinary medicine, optometry, po-  
7       diatry, pharmacy, psychology, or social work, the date of  
8       the initiation of the period of obligated service may be  
9       postponed, upon the submission by the individual of a peti-  
10      tion for such postponement and approval by the Secretary,  
11      to the date on which the individual completes an approved  
12      internship, residency, or other relevant public health pre-  
13      paredness advanced training program.

14      “(g) ADMINISTRATIVE PROVISIONS.—

15           “(1) HIRING PRIORITY.—Notwithstanding any  
16      other provision of law, Federal, State, local, and  
17      tribal public health agencies may give hiring priority  
18      to any individual who has qualified for and is willing  
19      to execute a contract to participate in the Program.

20           “(2) EMPLOYMENT CEILINGS.—Notwith-  
21      standing any other provision of law, individuals who  
22      have entered into written contracts with the Sec-  
23      retary under this section, who are serving as full-  
24      time employees of a State, local, or tribal public  
25      health agency, or who are in the last year of public

1 health workforce academic preparation, shall not be  
2 counted against any employment ceiling affecting  
3 the Department or any other Federal agency.

4 “(h) BREACH OF CONTRACT.—An individual who  
5 fails to comply with the contract entered into under sub-  
6 section (d) shall be subject to the same financial penalties  
7 as provided for under section 338E for breaches of loan  
8 repayment contracts under section 338B.

9 **“SEC. 782. GRANTS FOR STATE AND LOCAL PROGRAMS.**

10 “(a) IN GENERAL.—For the purpose of operating  
11 State, local, and tribal public health workforce loan repay-  
12 ment programs, the Secretary shall award a grant to any  
13 public health agency that receives public health prepared-  
14 ness cooperative agreements, or other successor coopera-  
15 tive agreements, from the Department of Health and  
16 Human Services.

17 “(b) REQUIREMENTS.—A State or local loan repay-  
18 ment program operated with a grant under subsection (a)  
19 shall incorporate all provisions of the Public Health Work-  
20 force Loan Repayment Program under section 781, in-  
21 cluding the ability to designate priority service areas with-  
22 in the relevant political jurisdiction.

23 “(c) ADMINISTRATION.—The head of the State or  
24 local office that receives a grant under subsection (a) shall

1 be responsible for contracting and operating the loan re-  
 2 payment program under the grant.

3 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
 4 tion shall be construed to obligate or limit any State, local,  
 5 or tribal government entity from implementing inde-  
 6 pendent or supplemental public health workforce develop-  
 7 ment programs within their borders.

8 **“SEC. 783. CATALOGUE OF FEDERAL PUBLIC HEALTH**  
 9 **WORKFORCE EMPLOYMENT OPPORTUNITIES.**

10 “(a) IN GENERAL.—The Director of the Office of  
 11 Personnel Management, in cooperation with the Secretary,  
 12 shall ensure that within the Office of Personnel Manage-  
 13 ment’s website, there is an on-line catalogue of public  
 14 health workforce employment opportunities in the Federal  
 15 Government.

16 “(b) REQUIREMENTS.—To the extent practical, the  
 17 catalogue described in subsection (a) shall include—

18 “(1) existing and projected job openings in the  
 19 Federal public health workforce; and

20 “(2) a general discussion of the occupations  
 21 that comprise the Federal public health workforce.

22 “(c) INFORMATION.—The Secretary shall include a  
 23 copy of the catalogue, or a prominent reference to the  
 24 catalogue, in—

1           “(1) the information for schools provided under  
2           section 780(c)(2) and 781(c)(2); and

3           “(2) the application forms provided under sec-  
4           tions 780(c)(1) and 781(c)(1).

5   **“SEC. 784. AUTHORIZATION OF APPROPRIATIONS.**

6           “(a) SCHOLARSHIP PROGRAM.—For the purpose of  
7   carrying out section 780, there is authorized to be appro-  
8   priated \$35,000,000 for fiscal year 2006, and such sums  
9   as may be necessary for each of fiscal years 2007 through  
10 2011.

11          “(b) LOAN REPAYMENT PROGRAMS.—

12           “(1) IN GENERAL.—For the purpose of car-  
13   rying out sections 781 and 782, there is authorized  
14   to be appropriated \$195,000,000 for fiscal year  
15   2006, and such sums as may be necessary for each  
16   of fiscal years 2007 through 2011.

17           “(2) ALLOCATION.—Not less than 80 percent  
18   of the amount appropriated under paragraph (1) in  
19   each fiscal year shall be made available to carry out  
20   section 782.

21   **“SEC. 785. SEVERABILITY.**

22           “‘If any provision of this subpart, or the application  
23   of such provision to any person or circumstance, is held  
24   to be unconstitutional, the remainder of this subpart and

- 1 the application of the provisions of this subpart to any
- 2 person or circumstance shall not be affected thereby.”.

